

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: SOCIAL MEDIA ADOLESCENT
ADDICTION/PERSONAL INJURY
PRODUCTS LIABILITY LITIGATION

THIS DOCUMENT RELATES TO:
ALL ACTIONS

MDL No. 3047

Case Nos.: 4:22-md-03047-YGR-PHK

**THIRD STATUS UPDATE,
STIPULATION, AND [PROPOSED]
ORDER REGARDING PLAINTIFFS'
AND YOUTUBE'S DMCS RIPE
DISPUTES ISSUES 2 AND 3**

Judge: Hon. Yvonne Gonzalez Rogers
Magistrate Judge: Hon. Peter H. Kang

Defendants YouTube, LLC and Google LLC (together, "YouTube"), and PI/SD Plaintiffs (collectively, the "Parties"), respectfully submit this update and stipulation to the Court:

WHEREAS, on October 18, 2024, the Parties filed a Discovery Case Management Statement (in advance of the October 24, 2024 Discovery Case Management Conference), providing the Court with discovery updates, including ripe discovery disputes. With respect to YouTube, the Parties raised, among other things, Ripe Dispute No. 2 [*YouTube's Amended Responses or Confirmation in Writing of Agreements Reached by Parties*], and Ripe Dispute No. 3 [*YouTube's Search of Non-Custodial Sources Identified by PI/SD Plaintiffs*]. The Parties provided their substantive positions on Ripe Dispute No. 2 in the Discovery Case Management

1 Statement and reported that they intended to file a joint letter brief on Ripe Dispute No. 3 by
 2 October 22, 2024, so that both issues could be considered by the Court at the October 24, 2024
 3 conference.

4 WHEREAS, on October 22, 2024, the Parties submitted a Status Update, Stipulation, and
 5 Proposed Order Regarding Plaintiffs' and YouTube's DMCS Ripe Disputes Issues 2 and 3, in
 6 which the Parties respectfully requested that the Court defer decision on these disputes so that the
 7 Parties can engage in further meet and confers. *See ECF 1246.* In the proposed order, the Parties
 8 requested that the deadline for briefing on Issues 2 and 3 be no later than November 15, 2024. *See*
 9 *id.*

10 WHEREAS, on October 23, 2024, the Court entered the Proposed Order Regarding
 11 Plaintiffs' and YouTube's DMCS Ripe Disputes Issues 2 and 3, setting the briefing deadline for
 12 November 15, 2024. *See ECF 1250.*

13 WHEREAS, on October 25, 2024, YouTube provided to Plaintiffs, in writing, agreed upon
 14 information regarding its search of non-custodial sources pursuant to the parties' Stipulation.

15 WHEREAS, on November 15, 2024, the Parties submitted a Second Status Update,
 16 Stipulation, and Proposed Order Regarding Plaintiffs' and YouTube's DMCS Ripe Disputes Issues
 17 2 and 3, requesting additional time to meet and confer. *See ECF 1335.* In the proposed order, the
 18 Parties requested that the deadline for briefing on Issues 2 and 3 be no later than December 10,
 19 2024. *See id.*

20 WHEREAS, on November 20, 2024, the Court entered the Proposed Order Regarding
 21 Plaintiffs' and YouTube's DMCS Ripe Disputes Issues 2 and 3, setting the briefing deadline for
 22 December 10, 2024. *See ECF 1353.*

23 NOW AND THEREFORE, the Parties respectfully request that the Court modify the
 24 timeline set forth in the Order so that the Parties can engage in further meet and confers, and that
 25 the Court adopts the following schedule to ensure timely and efficient briefing of these issues:

26 a. The Parties will continue to meet and confer on Ripe Dispute Issues 2 and 3;

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- b. No later than January 8, 2024, the Parties will hold an H(2) on any remaining issues on Ripe Dispute Issues 2 and 3; and,
- c. No later than January 14, 2024, the Parties will file joint letter briefs as to any remaining issues on Ripe Dispute Issues 2 and 3, so that the Court may consider the briefs at the January Discovery Case Management Conference.
- d. The Parties agree to meet and confer in good faith at Plaintiffs' reasonable request for information regarding YouTube's search and production from non-custodial sources newly identified by Plaintiffs in YouTube's document production that appear likely to contain relevant information or in response to an identified deficiency. Plaintiffs agree that they will be reasonable and judicious in making any such requests.

IT IS SO STIPULATED AND AGREED,

DATED: December 10, 2024

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7 DATED: December 10, 2024

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ATTESTATION

I, Ellyn Hurd, hereby attest, pursuant to N.D. Cal. Civil L.R. 5-1(i)(3), that the concurrence to the filing of this document has been obtained from each signatory hereto.

Dated: December 10, 2024

By: Ellyn H. Hurd
Ellyn H. Hurd

ORDER

IT IS SO ORDERED that the foregoing Stipulation is approved:

DATED:

Hon. Peter H. Kang
United States District Court Magistrate Judge